



Marie T. Veon
District Attorney

Exhibit 29

Office of the District Attorney

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November 12, 2004

Mr. Charles W. Johns
Prothonotary
The Supreme Court of Pennsylvania
801 City-County Building
Pittsburgh, PA 15219-2463

RE: Commonwealth of Pennsylvania vs. Edward Joseph McNatt, Petitioner
No. 77 WM 2004
Trial Court Docket Number: CR 182-1998
CR 183-1998

Dear Mr. Johns:

In accordance with Pa. R. A. P. 1116, notice is hereby provided that the Commonwealth will not file a brief in opposition to Petitioner's Application to Leave to File Original Process and Petitioner's Writ of Habeas Corpus.

On October 12, 2004, Edward Joseph McNatt filed a Petition for Writ of Habeas Corpus for CR 182-1998 and CR 183-1998 in the Court of Common Pleas of Venango County, Pennsylvania. In addition, on July 28, 2004, by Order of Court, the Honorable Oliver J. Lobaugh of Venango County Court of Common Pleas appointed William Cisek, Esq. to represent the defendant in the proceedings of Motion for Post Conviction Collateral Relief. Attorney Cisek by court order was to review the file in cases 182 and 183 to determine whether pleadings are appropriate or whether to amend such pleadings to determine whether the cases should be dismissed by the court for failing to be timely filed.

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To date, amended pleadings have not been filed by defendant and an evidentiary hearing has not taken place at the Common Pleas level on the Motion for Post Conviction Collateral Relief. Also, on October 12, 2004, the defendant filed for Habeas Corpus Relief in the Courts of Common Pleas in Venango County. Therefore, given that Mr. McNatt has an open PCRA case pending and a Writ of Habeas Corpus pending at the Common Pleas level, Mr. McNatt's filings with the Supreme Court of Pennsylvania are premature and should be dismissed.

It should also be noted that no filings have been received by the District Attorney's Office in Venango County from Mr. McNatt for the Writ of Habeas Corpus, which was filed with the Supreme Court of Pennsylvania. However, a letter was received on October 27, 2004 by the District Attorney's Office from Mr. McNatt regarding his Application for Leave to File Original Process to the Supreme Court of Pennsylvania.

Respectfully Submitted,



Maria Battista Kerle
Assistant District Attorney

cc: Edward Joseph McNatt